IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 22ND JANUARY 2007 / 2ND MAGHA 1928

Bail Appl..No. 345 of 2007()

CMP.2/2007 of J.M.F.C.-II, SULTHANBATHERY
CR No.106/06 of Sulthan Bathery Excise Range

.....

: PETITIONER/PETITIONER/ACCUSED:

ABDUL RAHMAN, S/O.MUHAMMED,
AGED 38 YEARS, PUTHANPURAKKAL HOUSE, KAVALAMATTAM,
CHENAKOLLY DESOM, SULTHAN BATHERY.

BY ADV. SRI.P.DALBI EMMANUEL
SRI.A.T.ANILKUMAR

RESPONDENT: RESPONDENT/COMPLAINANT:

STATE OF KERALA,
REP. PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
REP. BY THE EXCISE INSPECTOR, SULTHAN BATHERY
EXCISE RANGE IN CR.106/2006.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.Ramkumar, J.

==========

B.A.No.345 of 2007

==========

Dated this the 22nd day of January, 2007.

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the accused in CR No.106 of 2006 of Sulthan Bathery Excise Range for offences punishable under Sec. 8(1) and (2) of the Abkari Act for having been found in possession of 8 litres of Karnataka arrack, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-II, Sulthan Bathery and subject to the following conditions:

1. The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate

the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

ess 22/1